

# PLANNING COMMISSION MINUTES

July 13, 2009

**PRESIDING:** Meyers

**PRESENT:** Meyers, Schmucker, Everson, Molumby, Smith

**ABSENT:** Griffith, Larson, Fergen

**OTHERS:** McGannon, Putnam, Hegg, Johnson, Overweg, Nedved, Mayor Sebert

**AGENDA:** Motion by Molumby, seconded by Everson to approve the agenda. All members present voting aye, motion carried.

## **MINUTES:**

Motion by Everson, seconded by Schmucker to approve the minutes of the regular meeting of June 8, 2009. All members present voting aye, motion carried.

## **NEXT MEETING:**

Motion by Everson, seconded by Molumby to schedule the next Planning Commission meeting for July 27, 2009 at 12:00 p.m. subject to chair for hearings on petitions for rezoning and applications for variances and conditional use permits for publication and Finance Officer be directed to give notice according to statute. All members present voting aye, motion carried.

**VARIANCE:** Jamie Grosdidier to construct a house/garage, located at 3100 Canal Circle, legally described as Lot 8, Island Addition to the City of Mitchell, Davison County, South Dakota; the request is being made because the side yard setback will not be met. Zoned UD. Applicant will provide approximately a 0" side yard setback instead of the 8' that is required.

Commission reviewed the plan and both Schmucker and Everson did not like to see a variance on a new house on a new lot. Schmucker made a motion to approve this variance clearing 5' easement. McGannon said you may have trouble with financing if this did not clear the easement from the overhang. Schmucker withdrew his motion. If this was not platted and a 3' easement Molumby motioned that he'd approve this variance with a clearing of 3' from the overhang. After review this lot has been platted with a 5' easement. Molumby withdrew his motion. Jamie Grosdidier stated that his house has been sold and he'd like to get started on this one as soon as possible. Chuck Mauszycki said he'd do what it needs to change the 5' easement so Jamie could get started on his house. Motion by Molumby, seconded by Everson to approve this variance subject to pending replat of 5' easment to a 3' easement. All members present voting aye, motion carried.

**CONDITIONAL USE:** Maureen Koch to operate a Day Care Center in her home, located at 1420 Ridge Road, legally described as Lot 1, Block 2, SE¼, Crestview Hills Addition, Davison County, SD. Zoned UD

Nedved stated this has passed fire inspection and she did have a fence. Maureen Koch said she had a fence. Motion by Molumby, seconded by Everson to recommend approving this conditional use with the following conditions: Non transferable and the permit will expire if the daycare is not operating in a six month period All members present voting aye, motion carried.

**CONDITIONAL USE:** Val Fredrich to operate a Day Care Center in her home, located at 809 E. 12th Ave, legally described as Lot 6, Block 1, Northridge Addition to the City of Mitchell, Davison County, South Dakota, Zoned R-2.

Val Fredrich said she was not starting daycare until August and she was planning to fence the pool along with a fenced in yard. Nedved stated she passed the fire inspection. Motion by Everson, seconded by Schmucker to recommend approving this conditional use permit with the following conditions: Fence completed prior to starting daycare, non transferable and the permit will expire if the daycare is not operating in a six month period All members present voting aye, motion carried.

**CONDITIONAL USE:** Lisa Shippy to operate a Day Care Center in her home, located at 808 E. 12th Ave., legally described as W55' of Lot 16 & E35' of Lot 17, Block 2, Northridge Addition to the City of Mitchell, Davison County, South Dakota. Zoned

Putnam stated this was in the same neighborhood as two other day cares. Shippy said she would put in a fence. Putnam also reviewed the letter from a residence objecting to another day care in the area due to traffic especially in the winter when streets were not cleared. Nedved said this passed fire inspection. Motion by Everson, seconded by Molumby to recommend approving this day care with the following conditions: Fence completed prior to starting daycare, non transferable and the permit will expire if the daycare is not operating in a six month period All members present voting aye, motion carried.

**CONDITIONAL USE:** Rolyn Wiczorek to operate a limited construction and manufacture of product associated with and involving the principal products of any business which is a permitted use within a highway oriented business district. (Operating a construction business) located at 1100 W. Havens Ave, legally described as Lot 8A Exc. the E165' in Lot 8D Exc. the E65' in SW¼, 21-103-60 to the City of Mitchell, Davison County, SD. Zoned HB

Brian Dixon from Coachlight questioned how this can operate without a sewer system. They have a private one for the Coachlight and he didn't think Davison Feed had any either. McGannon said this will have to be looked into. Rolyn Wiczorek was unavailable for questions. Motion by Molumby, seconded by Everson to table this. All members present voting aye, motion carried.

**CONDITIONAL USE:** Winfred N & Douglas Jelden to operate an automotive repair garage for general repairs and replacement of parts, located at 1104 W. Havens Ave, legally described as IT6 EX Lot ROW 6; IT8 EX Lot ROW 8, SW¼-21-103-60 to the City of Mitchell, Davison County, South Dakota. Zoned HB

Mike Harroun with the Siesta Motel disapproved and said this was an auto junk yard. Milt Nelson also objected stating this was a mess and should not be let in city limits. Ken Tracy said he only lives a ½ block from this business and said cars were brought in and parked like a salvage yard. This would eventually if not now lead to rodents Ray Mentele said that last night at 7:00 they drug in a vehicle, disrupting his tenants in the apartment building. Ray and his wife, Alice also passed out a list of names of his tenants that did not approve this permit. They also had pictures and did not want a junk yard in the neighborhood. Todd Filter, operator of this repair shop said he specializes in Volkswagen repair and he doesn't have a parking lot owned by the city like Lawler Auto has. Filter also stated he gets customer all over the state and surrounding states that stay in Mitchell's motel. Motion by Molumby, seconded by Schmucker to recommend denying this conditional use permit. After roll call, all members present voting aye, motion carried.

**CONDITIONAL USE:** Candi Blasius to operate a dog grooming business, located at 809 E. Hanson Ave, legally described as Lot 4 & W½ Lot 3, Block 5, Applegate Addition to the City of Mitchell, Davison County, South Dakota. Zoned R-2.

Putnam explained that this purchase was not finalized and the owner requested it to be tabled. Motion by Molumby, seconded by Schmucker to table this conditional use. All members present voting aye, motion carried.

**PLAN:** Shawd Properties Commerce St/Hiway 37 Bypass Zoned HB  
John Hegg explained that this plan was approved but they adjusted the width to line up with the existing storage buildings. Motion by Molumby, seconded by Schmucker to approve plan. All members present voting aye, motion carried.

**PLAN:** Dental Care Center 916 S. Rowley St. Zoned HB  
John Hegg stated this was the building that was hit by a car and Karen from Mueller was available for any questions. Motion by Everson, seconded by Molumby to approve this plan. All members present voting aye, motion carried.

**ADJOURN:**  
Chairman Meyers adjourned meeting at 1:10 P.M.

Minutes submitted by Sheila Loecker